

# BROOKINGS COUNTY COMMISSION MEETING

**Tuesday, June 19, 2007**

The Brookings County Board of County Commissioners met in regular session on Tuesday, June 19, 2007 with the following members present: Don Larson, Mary Negstad, Deanna Santema, Dennis Falken, and Emil Klavetter.

Also in attendance were Stacey Trushenski, Saileza Khahwada, Katie Dreiling, and Nancy Fahrenwald, all of South Dakota State University and Brad King, Brett Cate, and Jerry Ross all of Tyler Technologies.

## **CALL TO ORDER**

Chairperson Klavetter called the meeting to order.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## **CONSENT AGENDA**

Chairperson Klavetter declared the Consent Agenda approved as amended with no objection from the board. The Consent Agenda consisted of the amended agenda for the June 19, 2007 Commission Meeting and the minutes from the June 12, 2007 Commission Meeting.

Welfare Matters: Case #07-023 in the amount \$15,169.55 for Avera Heart Hospital was denied; Case #07-060 in the amount of \$229.16 for Northwestern Energy was approved; Case #07-062 in the amount of \$400.00 for Rent was approved.

Travel/Education: Joyce Caugherty to Flandreau to work in the Flandreau office.

## **REGULAR BUSINESS**

Motion by Negstad, Second by Santema to approve Resolution #07-20 - Resolution Supporting Inclusion of State's Attorneys as Law Enforcement for Retirement Purposes. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye," Klavetter "Aye." Motion Carried.

### **Resolution #07-20**

#### **Resolution Supporting Inclusion of State's Attorneys as Law Enforcement for Retirement Purposes**

**Whereas:** State's Attorneys are currently classified the same as all non-law enforcement employees of the County for purposes of South Dakota Retirement, with benefits similar to all regular employees; and

**Whereas** Law Enforcement personnel are classified differently for purposes of South Dakota Retirement benefits; and

**Whereas** State's Attorneys interact with the criminal justice system to such an extent as to make them similar in many regards to those currently classified as Law Enforcement for retirement purposes as to make consideration of State's Attorneys as Law Enforcement personnel appropriate; and

**Whereas** the South Dakota Legislature, in 2005, amended SDCL 22-1-2(22) so as to include prosecutor in the definition of Law Enforcement Officer for purposes of the criminal code; and

**Whereas** inclusion of State's Attorneys as Class B employees for purposes of South Dakota Retirement will aid in recruitment and retention of highly qualified individuals for prosecutorial positions; and

**Whereas** the South Dakota State's Attorneys Association desires to petition the South Dakota State Legislature for a legislative change to include State's Attorneys as Class B, Law Enforcement personnel for purposes of South Dakota Retirement;

**Therefore be it resolved by the Brookings County Board of County Commissioners** that the Commissioners endorse the efforts of the South Dakota State's Attorneys Association to reclassify State's Attorneys as Class B employees for purposes of South Dakota Retirement benefits.

Passed this 19<sup>th</sup> day of June, 2007 by the Board of Commissioners as indicated in the Minutes of the Board of County Commissioners.

APPROVED: \_\_\_\_\_  
Emil Klavetter  
Chairman, Board of County Commissioners.

ATTEST: \_\_\_\_\_  
Janet Willmott, Auditor

## **ROUTINE BUSINESS**

Treasurer Vicki Buseth provided the board a written report of the Treasurer's Totals for Taxes and Motor Vehicle for the Month of May.

Extension Educator Rose Stee provided the board a written report from the Extension Office.

Weed and Pest Supervisor Gary Egeberg met with the board to provide them with the contract for Moody County spraying. Additionally, he updated them on the weed spraying status, informed them that mosquito spraying would begin, and that his employees had been collecting flea beetles to relocate them to additional leafy spurge patches.

Planning, Zoning, and Drainage Director Robert Hill met with the board to discuss a dairy visit he completed, a Volga Township nuisance complaint, and a building permit meeting with representatives from the City of Brookings. Additionally, he notified the board that there will need to be a drainage meeting scheduled during the month of August.

Director of Equalization Joyce Dragseth introduced Appraiser Erik Markve to the board. She also informed the board that members of her office will be attending a conference in Sioux Falls next week.

Deputy Director, Commission/Human Resources Kristin Trana presented the board with the Auditor's Report. Be it noted, Register of Deeds' statement of fees collected during the month of May 2007 was filed in the County Auditor's Office in the amount of \$23,511.00. Be it noted, Highway Transfers for the month of May 2007 totaling \$8,308.10 were presented to the board.

## **PUBLIC HEARING**

As scheduled, Chairperson Klavetter opened the Public Hearing at 9:00am for the Proposed Project and the Issuance of Bonds Under Chapter 9-54 Brookings County, South Dakota. Chairperson Klavetter called for proponents and opponents. Chairperson Klavetter closed the Public Hearing. No members of the public appeared for the public hearing and accordingly, the County Commission confirmed that the contingency in the Final Resolutions adopted on May 29, 2007 was satisfied and the resolutions remain in effect.

## **REGULAR BUSINESS**

Nancy Farenwahld of South Dakota State University presented to the board information regarding the location of the National Children's Study Site being located in Brookings County, South Dakota as well as Yellow Medicine County, Lincoln County, and Pipestone County in Minnesota. She requested discussion on other entities to contact in recruiting participants in the study.

Motion by Falken, Second by Santema to approve Resolution #07-19 - A Resolution Authorizing Rezoning of Property from Agricultural District to Commercial District. Roll Call Vote: Negstad "Aye," Santema "Aye," Falken "Aye," Larson "Aye," Klavetter "Aye." Motion Carried.

### **Resolution #07-19**

#### **A Resolution Authorizing Rezoning of property from Agricultural District to Commercial District.**

WHEREAS, an application was made to the Brookings County Board of Adjustment to rezone property from Agricultural District to Commercial District,

WHEREAS, the Brookings County Zoning Board approved the application to rezone at its June 5, 2007 meeting;

WHEREAS SDCL 11-2-30 requires the Brookings County Commission to adopt or reject the change;

THEREFORE BE IT RESOLVED, that the following property be rezoned from Agricultural District to Commercial District:

Lot 1 of Minndakota Addition in the NW1/4 of Section 16, Township 110 North, Range 47 West of the 5<sup>th</sup> P.M., Brookings County, South Dakota.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007

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Emil Klavetter, Chairperson  
Brookings County Commission

ATTEST:

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Janet Willmott, Auditor  
Brookings County

Motion by Santema, Second by Negstad to Modify the 2007 Brookings County Official Zoning Map. After discussion with the Zoning Director regarding the investigation of possible modifications it was decided by consensus that no action needed to be taken. The motion and second were withdrawn by Santema and Negstad respectively.

Motion by Falken, Second by Negstad to approve Abatement Application #07-08 made by Mitch and Denise Osterholt in the amount of \$259.80. Roll Call Vote: Santema "Aye," Falken "Aye," Larson "Aye," Negstad "Aye," Klavetter "Aye." Motion Carried.

Commission Assistant/Human Resources Director, Stephanie Vogel met with the board to present Personnel Action Notices and discuss correspondence received, potluck picnic information, and pop fund policy. Be it noted, the board approved the following Personnel Action Notices: Routine Step Increase: Emergency Management Deputy Director, Dave Swisher, \$14.46. New Hires: Part Time Correctional Officer, Anita Klitzke, \$12.93. Full Time Correctional Officer, Richard Hauge, \$13.19. Promotion: Sergeant Investigator, Mike Stoltenburg, \$20.49.

Motion by Falken, Second by Santema to authorize the Chairperson to sign a report of personnel action to be submitted to the South Dakota Office of Emergency Management for a Salary Adjustment for Dave Swisher. Roll Call Vote: : Falken "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye." Motion Carried.

Motion by Negstad, Second by Falken to authorize the Chairperson to sign a request for a temporary certificate from the Department of Revenue. Roll Call Vote: : Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye," Klavetter "Aye." Motion Carried.

Deputy States Attorney Mark Kratochvil had no report.

### **COMMISSIONER'S OPEN DISCUSSION**

Commissioner Negstad reported on the Extension Board meeting and a joint meeting between Extension, Swiftel Center Representatives, and Commission Representatives regarding agreements.

Commissioner Larson had no report.

Commissioner Falken had no report.

Commissioner Santema had no report.

Commissioner Klavetter reported on the Brookings Economic Development Meeting, a joint meeting between Extension Board, Swiftel Center Representatives, and Commission Representatives regarding agreements.

## **ADJOURNMENT**

There being no further business, Chairperson Klavetter declared the meeting adjourned until 8:00am Tuesday, June 26, 2007.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

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Kristin Trana  
Deputy Director  
Brookings County Commission/Human Resources Office